

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ALIGN TECHNOLOGY, INC.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 17-1647-LPS
)	
3SHAPE A/S, 3SHAPE TRIOS A/S,)	
and 3SHAPE INC.,)	
)	
Defendants.)	

STIPULATION TO MODIFY BRIEFING SCHEDULE

WHEREAS, the current deadline for *Daubert* motions and opening briefs is January 31, 2020, one week before the February 7, 2020 deadline for rebuttal expert reports (D.I. 274); and

WHEREAS, during the December 3, 2019 teleconference, the Court stated that “[i]f the parties so desired, we could have a deadline for the Daubert motion openings briefs on the February 14th, 2020 date, which is the same day the summary judgment answering briefs would be due in 1647. And then we could have responsive briefs due a week later, which would be February 21st, and have those also heard at that same February 28th hearing.” (Dec. 3. 2019 Tr. at 38:10-18);¹

¹ Although the Court referenced a prospective hearing date of February 28, 2020, the summary judgment and *Daubert* hearing is currently set for March 3, 2020 in this action. (D.I. 274).

The parties hereby STIPULATE AND AGREE, subject to the approval of the Court, that (1) any party may file *Daubert* motions and opening briefs on February 14, 2020; (2) the answering briefs for any *Daubert* motion filed on February 14, 2020 shall be filed by February 21, 2020; and (3) no reply briefs shall be filed.

/s/ Jeff Castellano

John W. Shaw (No. 3362)
Karen E. Keller (No. 4489)
Jeff Castellano (No. 4837)
SHAW KELLER LLP
I.M. Pei Building
1105 North Market Street, 12th Floor
Wilmington, DE 19801
(302) 298-0700
jcastellano@shawkeller.com
Attorneys for Plaintiff

/s/ Geoffrey G. Grivner

Geoffrey G. Grivner (No. 4711)
BUCHANAN INGERSOLL & ROONEY PC
919 North Market Street, Suite 990
Wilmington, DE 19801
(302) 552-4200
geoffrey.grivner@bipc.com
Attorney for Defendants

Dated: January 29, 2020

IT IS SO ORDERED THIS ____ day of _____ 2020.

United States Magistrate Judge